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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/555,233 | 07/13/2000 | AKITOSHI KOJIMA | P-9904 S | 1035 |
| 28752 | 7590 | 09/16/2005 | EXAMINER | |
| LACKENBACH SIEGEL, LLP LACKENBACH SIEGEL BUILDING 1 CHASE ROAD SCARSDALE, NY 10583 | | | MOORTHY, ARAVIND K | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2131 | |

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|--------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/555,233 | KOJIMA, AKITOSHI |
| | Examiner | Art Unit |
| | Aravind K. Moorthy | 2131 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 July 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 12-16 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 12-16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 May 2000 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |



DETAILED ACTION

1. This is in response to the applicant's amendment on 5 July 2005.
2. Claims 12-16 are pending in the application.
3. Claims 12-16 have been rejected.
4. Claims 1-11 have been cancelled.

Response to Arguments

6. Applicant's arguments with respect to claims 12-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 12-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu et al U.S. Patent No. 5,898,780.**

As to claim 12, Liu et al discloses a network system comprising:

individual service provider devices (14A, 14B, 14C) each having a first authentication server (22) and access point terminals (20A, 20b, 20C) for connecting user terminals (50, 52) of contracted users of at least one of the individual service provider devices to a network [column 2, lines 38-52];

a parallel service provider device (16) connected to the individual service provider devices (14A, 14B, 14C), the parallel service provider device having a roaming contract with the individual service provider devices and including a second authentication server (32) and no access point terminal [column 4, lines 5-61]; and

wherein each of the individual service provider devices (14A, 14B, 14C) comprises:

determining means (S6) for determining whether a user who issues a connection request from a user terminal is a contracted member of the parallel service provider device [column 4, lines 5-61];

transmitting means (S14) for transmitting the connection request to the parallel service provider device 916) to cause the second authentication server (32) of the parallel services provider device (16) to perform user authentication when the user is a contracted member [column 4, lines 5-61];

authentication means (S8) for causing the first authentication server (22) of the individual service provider devices (14A, 14B, 14C) to perform user authentication when the user is not a contracted member [column 4, lines 5-61]; and

connecting means (S10, S18) for connecting the user terminal to the network and charging the user for connection when a result of user authentication is good [column 4, lines 5-61].

As to claim 13, Liu et al discloses that the connection request comprises an e-mail address including a domain name of the parallel service provider device [column 3, lines 32-67]. Liu et al discloses that the determining means determines whether the user is a contracted member based on the presence or absence of the domain name of the parallel service provider device in the connection request [column 3, lines 32-67].

As to claim 14, Liu et al discloses that the parallel service provider device is connected to the individual service provider devices through an exclusive line [column 3, lines 20-31].

As to claim 15, Liu et al discloses that the individual service provider devices send respective user connection logs to the parallel service provider device [column 6, lines 40-53].

As to claim 16, Liu et al discloses that the parallel service provider device comprises:

receiving means for receiving a user name for a user terminal of a user who requests a signup [column 3, lines 32-67]; and

further determining means for determining whether e-mail addresses including a combination of the input user name and sub-domains of the parallel service provider device has been registered so as to register one of non-registered e-mail addresses [column 3, lines 32-67].

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy *AM*
September 14, 2005

Ayaz Sheikh
AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100